IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 5973 of 2007

M/s.Awate constructions. .. Petitioner

versus

The State of Maharashtra & Ors. .. Respondents

...

Mr.B.G. Tangsali for the petitioner.

CORAM : S.B. MHASE AND
D.G.KARNIK, JJ

DATED : 17th August 2007.

P.C.:

. Heard. This petition is similar to the disposed of petitions. viz. writ petition nos.6086 of 2005 and 3126 of 2006. In the said petitions, this Court has directed :-

> "In these circumstances, this petition is disposed of by directing the petitioner to deposit in the Chief Minister's Relief Fund an amount of Rs.20,000/-. The petitioner shall deposit this amount with the 2nd respondent who shall, forward the amount to the Chief Minister's Relief Fund. The petitioner shall file an

undertaking before the 2nd respondent that the vehicle shall not, hereafter, be plied within the municipal limits of the Greater Mumbai. The 2nd respondent shall subject to compliance with the aforesaid conditions release the vehicle only for one journey within the municipal limits of the Greater Mumbai so as to enable the petitioner to take the vehicle outside the municipal limits."

2. In our opinion, this petition also can be disposed of by accepting the request of the petitioner for depositing an amount of Rs.30,000/- (Rs.Thirty Thousand only) in the Chief Minister’s Relief Fund, and on deposit of such amount, the petitioner shall also file an undertaking before the respondent no.2 that the vehicle shall not be plied within the municipal limits of the Greater Mumbai. The respondent no.2 is directed to comply with this order and release the vehicle only for one journey within the municipal limits of the greater Mumbai so as to enable the petitioner to take the vehicle outside the municipal limits.

3. This order has been passed in respect of vehicle bearing no. MH-04-E-4186.

(D.G. KARNIK, J) (S.B. MHASE, J)